

In April 2013 I visited the Program on Humanitarian Policy and Conflict Research (HPCR) at Harvard University. I spent three months in Boston, Massachusetts, working on my PhD project, which deals with the reconciliation of the intersection between international humanitarian law and international human rights law. It is an issue that is being grappled with by States, their military forces, the International Committee of the Red Cross and numerous other Non-Governmental Organisations. My thesis specifically examines the extraterritorial application of international human rights treaties in armed conflict situations with a particular focus on the human rights obligations of States conducting military operations abroad.

Motivated by the humanitarian desire to increase and enhance the protections provided under international humanitarian law to individuals caught up in such circumstances, the international community has moved towards recognising the extraterritorial human rights obligations of States conducting military operations abroad. However, this welcome change is associated with considerable doubts as to the practical advantages of the application of international human rights law alongside international humanitarian law in armed conflicts. Further, there is conceptual and jurisprudential ambiguity as to when and to what extent States conducting military operations abroad have human rights obligations. Finally, there is skepticism as to the practicability of the extraterritorial application of human rights obligations in armed conflict situations. The main aim of my thesis is then to answer *whether*, *when* and most importantly, *how* human rights obligations apply to States conducting military operations abroad.

The extraterritorial application of international human rights treaties depends on the exercise of jurisdiction and the establishment of effective control over a given area. While the effective control test has been widely recognised for human rights obligations of States conducting military operations abroad to arise, it is unsettled what in fact constitutes effective control and there is considerable disagreement on the required amount of control. Therefore, I examine international, regional and domestic case law to conceptualise a unified structure of effective control and its various factors, which takes the understanding of effective control beyond existing jurisprudence and literature.

Informed by the overarching understanding that the extent of human rights obligations of a State, depends on the amount of effective control it exercises over the territory, and given that in situations of extraterritorial conduct the degree of control is generally limited, I propose a framework for the gradual activation of human rights treaty obligations of States conducting military operations abroad as the level of their control increases. My proposed model, by being practical, flexible and thus achievable for States, has the potential for greater compliance by States, which may ultimately result in enhanced protection of individuals caught up in armed conflict. It also brings clarity and thus predictability as it clearly sets out the human rights obligations of States conducting military operations abroad as their effective control increases over the area in question.

During my time at the HPCR I worked on the various factors of effective control test. I had the opportunity to present my understanding of the effective control test to various scholars in the field and implement their feedback.

While being in the US, I participated in the 107<sup>th</sup> Annual Meeting of the American Society of International Law in Washington DC, which brings together prominent international lawyers from all over the world. I also visited the Washington College of Law where the 2013 International Humanitarian Law Student Writing Competition was being held. Following the Annual Meeting, I was invited to visit the US Naval War College in Newport, Rhode Island where I participated in a seminar on the 'Use of Drones'.

Further, I visited the Global Institute for Health and Human Rights in Albany, New York where I established collaboration to research on topics of mutual interest. Currently I am negotiating to participate in a project on Syrian Refugees. I have also been invited to work on two chapters of two-volume book regarding interrogation and interviewing practices in non-Western countries.

I also met a few academics within the Harvard Law School and discussed extensively on my thesis and other issues of mutual interest.

Overall, my visit to the US was a great experience in which I had the opportunity to present my ideas to various internationally recognised scholars and receive constructive feedback to improve my thesis. I also developed networks and

partnerships with different institutions for future collaborative work between the University of Adelaide and those institutions.

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